



PUBLIC NOTICE

File # NR17MS.006

Pursuant to Chapter 0400-40-07 of the Department's rules, the proposed activity described below has been submitted for approval under an Aquatic Resource Alteration Permit (ARAP) and §401 Water Quality Certification. This notice is intended to inform interested parties of this permit application and to ask for comments and information necessary to determine possible impacts to water quality. No decision has been made whether to issue or deny this application.

PERMIT COORDINATOR

Dan Murray
865-594-5549
Dan.murray@tn.gov

APPLICANT

Mr. Adam Denton, Senior Exploration Geologist
Nyrstar East Tennessee Mines
2421 W. Old Andrew Johnson Hwy.
Strawberry Plains, TN 37871

LOCATION

Deep Young Exploration, Strawberry Plains, TN.
Latitude 36.0817, Longitude -83.6266

PROJECT DESCRIPTION/PURPOSE

Nyrstar East Tennessee Mines proposes to withdraw water intermittently from Beaver Creek in Hydrologic Unit Code (HUC) 060101040304. The proposed withdrawals will facilitate exploratory drilling to determine the extent of mineral resource reserves. Withdrawals will be scheduled in conjunction with exploratory drilling resulting from Nyrstar's annual mine development plan.

The proposed water withdrawals are temporary and the supporting plans are designed to minimize new impacts to jurisdictional waters. The applicant proposes limiting withdrawals to less than five (5) percent of the 7Q10 low flow of the stream and from one source stream in the affected HUC at a time. The 7Q10 flow will be estimated from the USGS Streamstats web application available at: <https://water.usgs.gov/osw/streamstats/tennessee.html>. The proposed pump/withdrawal rate is 13.33gpm(.029CFS) and Nyrstar will not withdraw from streams unless the 7Q10 flow is greater than 448.8gpm(1CFS).

POINT OF IMPACT

Beaver Creek Latitude 36.0817, Longitude -83.6266. 7Q10 low flow of 525gpm(1.17CFS)

WATERSHED/WATERBODY DESCRIPTION: The affected waters are in the Upper Tennessee River Basin – Holston River Watershed (HUC TN060101040304). For more information on this or any Tennessee watershed, please visit our [TN Basins webpage](#).

Ecoregion

67F Southern Limestone/Dolomite Valleys and Low Rolling Hills

Stream Name / ID: Beaver Creek / TN06010104001_0900

Designated Use	Use Support	Causes	Sources
livestock watering & wildlife	not assessed		
irrigation	not assessed		
recreation	not supporting	Escherichia coli	Pasture grazing
fish & aquatic life	not supporting	Alteration in stream-side or littoral vegetative cover Escherichia coli	Pasture grazing

To view the proposed location of these impacts and the watershed condition visit <http://tdeonline.tn.gov/dwr/> and search the file/permit number listed in the title of this Public Notice.

DETERMINATIONS

In Accordance with the Tennessee Antidegradation Statement (*Rule 0400-40-03-.06*), the Division has made a preliminary determination that the proposed activities will not result in greater than *de minimis* degradation to water quality

FACTORS CONSIDERED

In deciding whether to issue or deny a permit, the Division will consider all comments of record and the requirements of applicable federal and state laws. In making this decision, a determination will be made regarding the lost value of the resource compared to the value of any proposed mitigation. The Division shall consider practicable alternatives to the alteration. The Division shall also consider loss of waters or habitat, diminishment in biological diversity, cumulative or secondary impacts to the water resource, and adverse impact to unique, high quality, or impaired waters.

HOW TO COMMENT

Persons wishing to comment on the proposal are invited to submit written comments to the department. Written comments must be received within THIRTY (30) DAYS of the date that this notice is posted. Comments will become part of the record and will be considered in the final decision. The applicant's name and permit number should be referenced. Send all written comments to the Division's address listed under File Review or via e-mail at TNDWR-MINING.E-NOTIFY@TN.GOV to the attention of the permit coordinator listed on page 1.

PUBLIC HEARING

Interested persons may request in writing that the Division hold a public hearing on this application. The request must be filed within the comment period, indicate the interest of the person requesting it, the reasons that a hearing is warranted, and the water quality issues being raised. When there is sufficient public interest in water quality issues, the Division will hold a public hearing. Send all public hearing requests to the Division's address listed under File Review or via e-mail at TNDWR-MINING.E-NOTIFY@TN.GOV to the attention of the permit coordinator listed on page 1.

APPEAL

Please be advised that a petition for permit appeal may be filed, pursuant to *T.C.A. Section 69-3-105, subsection (i)* and Rule 0400-40-05, by the permit applicant or by any aggrieved person who participated in the public comment period announced by this notice. This petition must be filed within THIRTY (30) DAYS after public notice of the issuance of the permit. The petition must specify what provisions are being appealed and the basis for the appeal. It should be addressed to the technical secretary of the Tennessee Board of Water Quality, Oil and Gas. A copy of the filing should also be sent to TDEC's Office of General Counsel. The mailing addresses follow:

Tisha Calabrese Benton
Acting Technical Secretary
Board of Water Quality, Oil and Gas
William R. Snodgrass TN Tower
312 Rosa L. Parks Avenue, 12th Fl
Nashville, TN 37243-1102

Jenny L. Howard-General Counsel
Office of General Counsel
William R. Snodgrass TN Tower
312 Rosa L. Parks Avenue, 2nd Fl
Nashville, TN 37243-1102

Any hearing would be in accordance with *T.C.A. §§69-3-110 and 4-5-301 et seq.*

FILE REVIEW

Copies of the permit application, supporting documentation including detailed plans and maps are available for review on the internet at the Division's [Water Resources Permit Data Viewer](#). The file may be viewed in person at the Division's address (listed below) for review and/or copying.

Kara Blevins (865) 594-5460
Tennessee Department of Environment & Conservation
Division of Water Resources - Mining Section
3711 Middlebrook Pike
Knoxville, TN 37921-6538



U.S. DEPARTMENT OF THE INTERIOR
U. S. GEOLOGICAL SURVEY



MASCOT QUADRANGLE
TENNESSEE
7.5-MINUTE SERIES